

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ELECTRONIC PRIVACY
INFORMATION CENTER

Appellant,

V.

NATIONAL SECURITY AGENCY

Appellee.

No. 11-5233

STATEMENT OF INTENT NOT TO UTILIZE DEFERRED JOINT APPENDIX

I hereby certify that on the 12th day of October 2011, that a deferred joint appendix will not be utilized in this matter. The final joint appendix will be filed with the appellant's opening brief as required by the Federal Rules of Appellate Procedure and the D.C. Cir. Rules.

/s/ *John Verdi*

John Verdi

Counsel for Appellant